

111TH CONGRESS  
1ST SESSION

# H. R. 1741

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## AN ACT

To require the Attorney General to make competitive grants to eligible State, tribal, and local governments to establish and maintain certain protection and witness assistance programs.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Witness Security and  
3 Protection Grant Program Act of 2009”.

4 **SEC. 2. ESTABLISHMENT OF WITNESS PROTECTION GRANT**  
5 **PROGRAM.**

6       (a) IN GENERAL.—The Attorney General shall make  
7 competitive grants to eligible State, tribal, and local gov-  
8 ernments to establish or maintain programs that provide  
9 protection or assistance to witnesses in court proceedings  
10 involving homicide, or involving a serious violent felony or  
11 serious drug offense as defined in section 3559(c)(2) of  
12 title 18, United States Code. The Attorney General shall  
13 ensure that, to the extent reasonable and practical, such  
14 grants are made to achieve an equitable geographical dis-  
15 tribution of such programs throughout the United States.

16       (b) STATE DEFINED.—For purposes of this Act, the  
17 term “State” means any State of the United States, the  
18 District of Columbia, the Commonwealth of Puerto Rico,  
19 the Virgin Islands, American Samoa, Guam, and the Com-  
20 monwealth of the Northern Mariana Islands.

21 **SEC. 3. USE OF GRANTS.**

22       A grant made under section 2 may be used only to  
23 pay all or part of the cost of the program for which such  
24 grant is made.

1 **SEC. 4. PRIORITY.**

2 In making grants under section 2, the Attorney Gen-  
3 eral shall give priority to applications submitted under sec-  
4 tion 5 involving programs in States with an average of  
5 not less than 100 murders per year during the most recent  
6 5-year period, as calculated using the latest available  
7 crime statistics from the Federal Bureau of Investigation.

8 **SEC. 5. APPLICATION.**

9 To be eligible for a grant under section 2, a State,  
10 tribal, or local government shall submit to the Office of  
11 Justice Programs an application in such form and man-  
12 ner, at such time, and accompanied by such information  
13 as the Attorney General specifies.

14 **SEC. 6. TECHNICAL ASSISTANCE.**

15 From amounts made available to carry out this Act,  
16 the Attorney General, upon request of a recipient of a  
17 grant under section 2, shall provide technical assistance  
18 to such recipient to the extent the Attorney General deter-  
19 mines such technical assistance is needed to establish or  
20 maintain a program described in such section.

21 **SEC. 7. BEST PRACTICES.**

22 (a) REPORT.—Each recipient of a grant under sec-  
23 tion 2 shall submit to the Attorney General a report, in  
24 such form and manner and containing such information  
25 as specified by the Attorney General, that evaluates each  
26 program established or maintained pursuant to such

1 grant, including policies and procedures under the pro-  
2 gram.

3 (b) DEVELOPMENT OF BEST PRACTICES.—Based on  
4 the reports submitted under subsection (a), the Attorney  
5 General shall develop best practice models to assist States  
6 and other relevant entities in addressing—

7 (1) witness safety;

8 (2) short-term and permanent witness reloca-  
9 tion;

10 (3) financial and housing assistance; and

11 (4) any other services related to witness protec-  
12 tion or assistance that are determined by the Attor-  
13 ney General to be necessary.

14 (c) DISSEMINATION TO STATES.—Not later than 1  
15 year after the development of best practice models under  
16 subsection (b), the Attorney General shall disseminate to  
17 States and other relevant entities such models.

18 (d) SENSE OF CONGRESS.—It is the sense of Con-  
19 gress that States and other relevant entities should use  
20 the best practice models developed and disseminated in ac-  
21 cordance with this Act to evaluate, improve, and develop  
22 witness protection or witness assistance as appropriate.

23 (e) CLARIFICATION.—Nothing in this Act requires  
24 the dissemination of any information if the Attorney Gen-  
25 eral determines such information is law enforcement sen-

1 sitive and should only be disclosed within the law enforce-  
2 ment community or that such information poses a threat  
3 to national security.

4 **SEC. 8. REPORT TO CONGRESS.**

5 Not later than December 31, 2015, the Attorney  
6 General shall submit a report to Congress on the programs  
7 funded by grants awarded under section 2, including on  
8 matters specified under section 7(b).

9 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

10 There is authorized to be appropriated to carry out  
11 this Act \$30,000,000 for each of the fiscal years 2010  
12 through 2014.

Passed the House of Representatives June 9, 2009.

Attest:

*Clerk.*

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